

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

1 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 1 Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Denice L. DasGupta

Case No.: 19-32110
Judge: JNP

Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: 11/22/2022
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/ S.W. Initial Debtor: /s/ D.D. Initial Co-Debtor: /s/

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 150.00 per months to the Chapter 13 Trustee, starting on
December 1, 2022 for approximately 24 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

- a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 3,960.00
DOMESTIC SUPPORT OBLIGATION	Child Support	Notice Only
Internal Revenue Service	Taxes	Notice Only
State of New Jersey	Taxes	Notice Only

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Ally Bank	2013 GMC Terrain	\$25,310.23	\$10,125.00	None	\$10,125.00	5%	\$11,464.20

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Toyota Financial Services	2013 Toyota Highlander	\$12,750.00	\$33,188.78
Specialized Loan Servicing	233 E Collings Dr. Collings Lake, NJ 08094	\$129,000.00	\$194,056.11
CitiMortgage, Inc	233 E Collings Dr. Collings Lake, NJ 08094	\$129,000.00	\$42,354.06

f. Secured Claims Unaffected by the Plan ☒ **NONE**

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☒ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☒ Not less than \$ 0.00 to be distributed *pro rata*

☐ Not less than _____ percent

☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal*, and *valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Ally Bank	2013 GMC Terrain	\$25,310.23	\$10,125.00	\$11,464.20	Approximately \$15,185.00

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 11/22/2022.

<p>Explain below why the plan is being modified:</p> <p>To remove Specialized Loan Servicing from Part 4(a) and 7(c) as debtor is surrendering property.</p> <p>To remove CitiMortgage, Inc from Part 4(d) as debtor is surrendering property.</p> <p>To address Specialized Loan Servicing & CitiMortgage, Inc under Part 4 (e) as debtor is surrendering property.</p>	<p>Explain below how the plan is being modified:</p> <p>To remove Specialized Loan Servicing from Part 4(a) and 7(c) as debtor is surrendering property.</p> <p>To remove CitiMortgage, Inc from Part 4(d) as debtor is surrendering property.</p> <p>To address Specialized Loan Servicing & CitiMortgage, Inc under Part 4 (e) as debtor is surrendering property.</p>
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Are Schedules I and J being filed simultaneously with this Modified Plan?

☒ Yes

☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 11/22/2022

/s/ Denice L. DasGupta
Debtor

Date: _____

/s/
Joint Debtor

Date: 11/22/2022

/s/ Seymour Wasserstrum
Attorney for Debtor(s)

In re:
Denice L DasGupta
Debtor

Case No. 19-32110-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin

Page 1 of 3

Date Rcvd: Nov 23, 2022

Form ID: pdf901

Total Noticed: 40

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 25, 2022:

Recip ID	Recipient Name and Address
db	+ Denice L DasGupta, 213 E. Collings Drive, Collings Lake, NJ 08094-2511
518586231	+ Ally Bank, 200 West Civic Center Dr, Suite 201, Sandy, UT 84070-4207
518586233	+ Bankcard Services, PO Box 17501, Baltimore, MD 21297-1501
518586234	+ Berlin Services, APT/Suite 203, 1289 Route 38 West, Hainesport, NJ 08036-2730
518586242	+ Laboratory Corp Of America, 231 Maple Avenue, Burlington, NC 27215-5848
518634005	+ Legacy Treatment Services Inc, 1289 Rte 38 West, Ste 203, Hainsport NJ 08036-2730
518586245	Penn Medicine, P.O. Box 824406, Philadelphia, PA 19182-4406
518586246	+ Pradip DasGupta, 136 Chicago Ave., Egg Harbor City, NJ 08215-1804
518586248	+ Rothman Institute, 925 Chestnut Street, Philadelphia, PA 19107-4290
518586249	+ South Jersey Radiology Assoc, PO Box 1710, Voorhees, NJ 08043-7710
518586252	+ State Of New Jersey, P.O. Box 445, Department Of Treasury, Trenton, NJ 08695-0445
518586253	Toyota Financial Services, PO Box 790069, St. Louis, MO 63179-0069
518586254	+ Virtua Medical Group, PO Box 6028, Bellmawr, NJ 08099-6028

TOTAL: 13

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Nov 23 2022 20:30:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreion03.ne.ecf@usdoj.gov	Nov 23 2022 20:30:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
518586230	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Nov 23 2022 20:30:00	ADS/Comenity/Catherine, PO BOX 182789, Columbus, OH 43218-2789
518586232	^ MEBN	Nov 23 2022 20:28:59	Apex asset management, 2501 Oregon pike suite, c/o Virtua, Lancaster, PA 17601-4890
518604672	Email/PDF: resurgentbknofications@resurgent.com	Nov 23 2022 20:38:27	Ashley Funding Services, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
518586235	Email/PDF: AIS.cocard.ebn@aisinfo.com	Nov 23 2022 20:38:25	Capital One, PO Box 85015, Richmond, VA 23285-5015
518586236	+ Email/Text: GenesisFS@ebn.phinsolutions.com	Nov 23 2022 20:30:00	CB Indigo, PO Box 4499, Beaverton, OR 97076-4499
518586237	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Nov 23 2022 20:38:22	CBNA, 1000 Technology Dr, Fallon, MO 63368-2239
518661956	Email/PDF: bncnotices@becket-lee.com	Nov 23 2022 20:38:32	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701

District/off: 0312-1

User: admin

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Date Rcvd: Nov 23, 2022

Form ID: pdf901

Total Noticed: 40

518608639	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Nov 23 2022 20:38:22	CitiMortgage, Inc, 1000 Technology Drive, MS 100 RM, O Fallon, MO 63368-2240
518672009	Email/PDF: Citi.BNC.Correspondence@citi.com	Nov 23 2022 20:38:27	Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027
518586240	+ Email/Text: sbse.cio.bnc.mail@irs.gov	Nov 23 2022 20:29:00	IRS, 1601 Market St, Philadelphia, PA 19103-2301
518586241	+ Email/Text: PBNCNotifications@perituservices.com	Nov 23 2022 20:29:00	Kohls/Capone, PO Box 3115, Milwaukee, WI 53201-3115
518604307	Email/PDF: resurgentbknofications@resurgent.com	Nov 23 2022 20:38:21	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
518586243	+ Email/Text: Mercury@ebn.phinsolutions.com	Nov 23 2022 20:29:00	Mercury Card/FB&T, PO Box 84064, Columbus, GA 31908-4064
518586244	^ MEBN	Nov 23 2022 20:27:59	Office Of Attorney General, 25 Market Street, PO Box 112, Richard J Hughes Justice Complex, Trenton, NJ 08625-0112
519135662	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 23 2022 20:38:26	Portfolio Recovery Associates, LLC, POB 41067, Norfolk VA 23541
518650490	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 23 2022 20:38:27	Portfolio Recovery Associates, LLC, c/o Capital One Bank, N.a., POB 41067, Norfolk VA 23541
518663790	Email/Text: bnc-quantum@quantum3group.com	Nov 23 2022 20:30:00	Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
518663791	Email/Text: bnc-quantum@quantum3group.com	Nov 23 2022 20:30:00	Quantum3 Group LLC as agent for, GPCC I LLC, PO Box 788, Kirkland, WA 98083-0788
518586247	+ Email/Text: clientservices@remexinc.com	Nov 23 2022 20:29:00	Remex Inc, 307 Wall Street, c/o SJRA, Princeton, NJ 08540-1515
518586251	Email/PDF: ais.sprint.ebn@aisinfo.com	Nov 23 2022 20:38:25	Sprint, P.O. Box 219718, Kansas City, MO 64121-9718
518586250	+ Email/Text: bkelectronicnoticecourtmail@computershare.com	Nov 23 2022 20:29:00	Specialized Loan Services, 8742 Lucent Blvd, Suite 300, Highlands Ranch, CO 80129-2386
518692236	+ Email/Text: bkelectronicnoticecourtmail@computershare.com	Nov 23 2022 20:29:00	Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
518589038	+ Email/PDF: gecsed@recoverycorp.com	Nov 23 2022 20:38:30	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
518626685	+ Email/Text: ToyotaBKNofices@nationalbankruptcy.com	Nov 23 2022 20:29:00	Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
518953745	Email/PDF: bncnotices@becket-lee.com	Nov 23 2022 20:38:27	Toyota Motor Credit Corporation, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701

TOTAL: 27

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
518586239	*	IRS, PO Box 725, Special Procedures Function, Springfield, NJ 07081
518586238	*	IRS, PO Box 744, Springfield, NJ 07081-0744
518625694	*	Internal Revenue Service, P.O. Box 7346, Philadelphia PA 19101-7346
518636924	##+	Denise Carlon Esquire, KML Law Group, P.C., 216 Haddon Avenue, Suite 406, Westmont, NJ 08108-2812

TOTAL: 0 Undeliverable, 3 Duplicate, 1 Out of date forwarding address

District/off: 0312-1

User: admin

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Date Rcvd: Nov 23, 2022

Form ID: pdf901

Total Noticed: 40

NOTICE CERTIFICATION

I, **Gustava Winters**, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 25, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 22, 2022 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor SPECIALIZED LOAN SERVICING LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa	on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com
Isabel C. Balboa	ecfmail@standingtrustee.com summarymail@standingtrustee.com
Jason Brett Schwartz	on behalf of Creditor Portfolio Recovery Associates LLC jschwartz@friedmanvartolo.com, bankruptcy@friedmanvartolo.com
Seymour Wasserstrum	on behalf of Debtor Denice L DasGupta mylawyer7@aol.com ecf@seymourlaw.net;r47769@notify.bestcase.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6